

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

NAOMI COLLINS, Personal Representative of
the Estate of Edward Collins, Jr., Deceased,

Plaintiff,

v.

Case No. 10-13344

NATIONAL GENERAL INSURANCE
COMPANY, a/k/a GMAC INSURANCE

Defendant.

ORDER SETTING BRIEFING SCHEDULE

On July 1, 2011, the court granted summary judgment in favor of Plaintiff on a single issue of contract interpretation. Thereafter, the court denied two motions for reconsideration filed by Defendant. On October 28, 2011, the court held a telephonic status conference with counsel for Plaintiff and Defendant to identify outstanding issues in this matter and develop a course of action moving forward. Defendant's counsel suggested that a single issue remained outstanding, whether Defendant was entitled to a setoff. Plaintiff's counsel indicated that he was unwilling to agree that only a single issue remained because Defendant has not formally stipulated to liability and damages. Counsel, however, agreed that their respective arguments were susceptible to adjudication through motion practice, and the court indicated that it would establish a briefing schedule. Accordingly,

IT IS ORDERED that Defendant shall file its motion for a declaration of setoff, limited to 20 pages of argument, on or before **November 28, 2011**. Plaintiff shall file a

combined response and motion,¹ limited to 25 pages of argument, by **December 12, 2011**. Defendant may file a combined response and reply, limited to 20 pages of argument, to any remaining issues on or before **December 27, 2011**. Finally, Plaintiff may file a sur-reply on or before **January 10, 2012**. Plaintiff's sur-reply shall be limited to 5 pages of argument .

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: November 2, 2011

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, November 2, 2011, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522

¹ Pursuant to Local Rule 7.1(d)(1)(A), leave is specifically granted to permit Plaintiff to file a combined response and motion. Plaintiff's combined response and motion should be clearly captioned as "at the direction of the court."